

# 2021 South Dakota Legislature

## Draft 174

*Requested by: at the request of the Department of Health*

1 **An Act to repeal the emergency medical technician-student status license**  
2 **requirement.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1.** That § 36-4B-1 be AMENDED.

5 **36-4B-1. Definition of terms.**

6 Terms used in this chapter mean:

- 7 (1) "Advanced life support," a level of prehospital and interhospital emergency care  
8 consisting of basic life support procedures and definitive therapy including the use  
9 of invasive procedures and may include the use of drugs and manual defibrillation;  
10 (2) "Advanced life support personnel," any person other than a physician who has  
11 completed a department and board approved program and is licensed as an  
12 emergency medical technician-intermediate/85; emergency medical technician-  
13 intermediate/99; emergency medical technician-advanced; or emergency medical  
14 technician-paramedic as set forth in this chapter, or its equivalent;  
15 (3) "Board," the South Dakota Board of Medical and Osteopathic Examiners;  
16 (4) "Department," the South Dakota State Department of Health;  
17 (5) "Direct medical control," communications between field personnel and a physician  
18 during an emergency run;  
19 (6) "Emergency medical services," health care provided to the patient at the scene,  
20 during transportation to a medical facility, between medical facilities and upon entry  
21 at the medical facility;  
22 (7) "Emergency medical technician-advanced," any person who has successfully  
23 completed a program of study approved by the department and the board in all  
24 areas of training and skills set forth in the advanced emergency medical technician  
25 instructional guidelines and standards, including placement of esophageal and  
26 supraglottic airways, intravenous cannulation, shock management, administration  
27 of specific medications, and other advanced skills approved by the board, and who  
28 is licensed by the board to perform such advanced skills;

- (8) "Emergency medical technician/EMT," any person trained in emergency medical care in accordance with standards prescribed by rules and regulations promulgated pursuant to § 34-11-6, who provides emergency medical services, including automated external defibrillation under indirect medical control, in accordance with the person's level of training;
- (9) "Emergency medical technician-intermediate/85," any person who has successfully completed a department and board approved program of instruction in basic life support and advanced life support skills in shock and fluid therapy, placement of esophageal airways, and other advanced life support skills approved by board action, and who is licensed by the board to perform such skills, including automated external defibrillation;
- (10) "Emergency medical technician-paramedic," any person who has successfully completed a program of study approved by the department and the board and is licensed as an emergency medical technician-paramedic, which includes all training and skills set forth herein for emergency medical technician-intermediate/85 and emergency medical technician-intermediate/99, and other advanced skills programs approved by board action, and who is licensed by the board to perform such intermediate, special, and advanced skills;
- (11) "Emergency medical technician-intermediate/99," any person who has successfully completed a department and board approved program of instruction in all areas of emergency medical technician-intermediate/85 curriculum plus other specific areas of emergency medical care in the following areas: manual and automated external defibrillation, telemetered electrocardiography, administration of cardiac drugs, administration of specific medications and solutions, use of adjunctive breathing devices, advanced trauma care, tracheotomy suction, esophageal airways and endotracheal intubation, intraosseous infusion, or other special skills programs approved by board action, and who is licensed by the board to perform intermediate skills plus such special skills;
- (12) ~~"Emergency medical technician student status," any person who has received authorization for student status by the board and who has been accepted into an advanced life support training program to perform, under direct supervision, those activities and services currently being studied;~~
- ~~(13)~~—"Epinephrine auto-injector," a spring-loaded needle and syringe with a single dose of epinephrine that will automatically release and inject the medicine, any similar

- 1 automatic pre-filled cartridge injector, or any similar automatic injectable  
2 equipment;
- 3 ~~(14)~~(13) "Good faith," honesty, in fact, in the conduct, or transaction concerned;
- 4 ~~(15)~~(14) "Gross negligence," the intentional failure to perform a manifest duty in  
5 reckless disregard of the consequences as affecting the life or health of another;
- 6 ~~(16)~~(15) "Hour of advanced life support studies," fifty minutes of training;
- 7 ~~(17)~~(16) "Indirect medical control," the establishment and implementation of system  
8 policies and procedures, such as medical treatment protocols, quality assurance  
9 programs and case reviews by a physician licensed in South Dakota;
- 10 ~~(18)~~(17) "Local government," any county, municipality, township, or village in this  
11 state;
- 12 ~~(19)~~(18) "Medical community," the physicians and medical resources located and  
13 available within a geographic area;
- 14 ~~(20)~~(19) "Medical emergency," an event affecting an individual in such a manner that  
15 a need for immediate medical care is created;
- 16 ~~(21)~~(20) "Patient," an individual who, as a result of illness or injury needs immediate  
17 medical attention, whose physical or mental condition is such that the individual is  
18 in imminent danger of loss of life or significant health impairment, or who may be  
19 otherwise incapacitated or helpless as a result of a physical or mental condition;  
20 and
- 21 ~~(22)~~(21) "Prehospital care," those emergency medical services rendered to emergency  
22 patients in an out-of-hospital setting, administered for analytic, stabilizing, or  
23 preventive purposes, precedent to and during transportation of such patients to  
24 emergency treatment facilities.

25 **Section 2.** That § 36-4B-4 be REPEALED.

26 **36-4B-4. Authorized activities of advanced life support students--**  
27 **Supervision.**

28 **Section 3.** That § 36-4B-6 be REPEALED.

29 **36-4B-6. Grant of student status--Qualifications of applicants.**

30 **Section 4.** That § 36-4B-7 be AMENDED.

**36-4B-7. Administrative requirements for educational programs in advanced life support.**

An educational program for instruction of advanced life support personnel shall meet the following general requirements:

- (1) The educational program shall develop an evaluation mechanism satisfactory to the Board of Medical and Osteopathic Examiners to determine the effectiveness of its theoretical and clinical programs, the results of which shall be made available to the board annually;
- (2) Instructors in the theoretical and clinical training programs shall be competent and properly qualified in their respective fields of instruction and clinical training;
- (3) The educational program shall establish a method of definitive candidate selection satisfactory to the board, ~~in addition to requirements set forth by § 36-4B-6;~~
- (4) The number of students enrolled in the theoretical program may not exceed the number that can be clinically supervised and trained.

**Section 5.** That § 36-4B-13 be AMENDED.

**36-4B-13. Issuance of advanced life support licenses--Qualifications of applicants.**

The board may issue an appropriate advanced life support license to any person who files a verified application upon a form prescribed by the board, pays the required fee, and furnishes evidence satisfactory to the board that the person has met the following qualifications:

- (1) ~~Meets the age and moral character requirements of § 36-4B-6;~~
- (2) ~~Completes successfully an appropriate course of study approved by the board for the license sought; and~~
- (2) ~~(3)~~ Completes successfully a written and practical examination testing the applicant's knowledge in theoretical and applied prehospital primary care as it applies to the practice of the advanced life support license sought.